

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB2005/001218

A. CLASSIFICATION OF SUBJECT MATTER
 IPC 7 G06F19/00 C12Q1/68

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 G06F C12Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, EMBASE, FSTA

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>MEDHORA MEETHA ET AL: "Upregulation of collagens detected by gene array in a model of flow-induced pulmonary vascular remodeling." AMERICAN JOURNAL OF PHYSIOLOGY. HEART AND CIRCULATORY PHYSIOLOGY. FEB 2002, vol. 282, no. 2, February 2002 (2002-02), pages H414-H422, XP009049629 ISSN: 0363-6135 the whole document</p> <p>----- -/--</p>	1, 14, 21-23

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

A document defining the general state of the art which is not considered to be of particular relevance

E earlier document but published on or after the international filing date

L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

G document member of the same patent family

Date of the actual completion of the international search

24 June 2005

Date of mailing of the international search report

02/08/2005

Name and mailing address of the ISA

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X *	CHISMAR J D ET AL: "Analysis of result variability from high-density oligonucleotide arrays comparing same-species and cross-species hybridizations." BIOTECHNIQUES. SEP 2002, vol. 33, no. 3, September 2002 (2002-09), pages 516-518, 520, XP001206561 ISSN: 0736-6205 the whole document	1,14, 21-23
X	HIGGINS M A ET AL: "Gene expression analysis of the acute phase response using a canine microarray." TOXICOLOGICAL SCIENCES : AN OFFICIAL JOURNAL OF THE SOCIETY OF TOXICOLOGY. AUG 2003, vol. 74, no. 2, August 2003 (2003-08), pages 470-484, XP000904576 ISSN: 1096-6080 abstract; table 3	1,14, 21-23
X	US 2001/053519 A1 (FODOR STEPHEN P.A ET AL) 20 December 2001 (2001-12-20) paragraphs '0113!', '0114!', '0121!	25,30,32
X	US 2003/119015 A1 (FRAZER KELLY A ET AL) 26 June 2003 (2003-06-26) paragraph '0011!; figure 5	1,14, 21-23
A	EP 0 848 067 A (AFFYMETRIX, INC.) 17 June 1998 (1998-06-17)	

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Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. ☒ Claims Nos.: 16-20, 29
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210

3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.

2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.

3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:

4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.2

Claims Nos.: 16-20,29

Claim 16 refers to the use of one or more oligonucleotides selected according to any of the methods in the preceedings claims 1-15. Claim 16 thus represents a reach-through claim, whereby the products are only defined with reference to a screening method but without providing any technical features of the products as such. Claim 16 thus lacks clarity (Art 6 PCT). The description also fails to disclose any of oligonucleotides that might fall under the scope of claim 16. Therefore, claim 16 lacks clarity to such an extent that no meaningful search can be carried out. None of dependent claims 17-20 overcome the said lack of clarity. The same objection also applies to independent claims 17, 18 and 29, whereby the latter refers to the masks generated in any of claims 25-28. In summary, no meaningful search can be carried out for claims 16-20 and claim 29.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

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